

**MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
REGIONAL COUNCIL MEETING**

February 25, 1998
MAG Office
302 North 1st Avenue, Suite 200
Phoenix, Arizona

MEMBERS ATTENDING

Mayor Elaine Scruggs, Glendale, Chairman	*Supervisor Jan Brewer, Maricopa County
Councilmember Al Carroll for Mayor Tom	Mayor Wayne Brown, Mesa
Morales, Avondale	Councilmember Sara Moya, Paradise Valley
Mayor Mike Baker, Buckeye	Mayor John Keegan, Peoria
*Mayor Hugh Stevens, Carefree	*Mayor Skip Rimsza, Phoenix
Mayor Tom Augherton, Cave Creek	*Mayor Mark Schnepf, Queen Creek
Mayor Jay Tibshraeny, Chandler	*President Ivan Makil, Salt River Pima-
*Mayor Maggie Reese, El Mirage	Maricopa Indian Community
*Mayor Jerold Miles, Fountain Hills	Councilmember Richard Thomas for Mayor Sam
*Mayor Chuck Turner, Gila Bend	Campana, Scottsdale
*Governor Mary Thomas, Gila River Indian	Mayor Joan Shafer, Surprise
Community	Mayor Neil Giuliano, Tempe
Vice Mayor Dave Crozier for Mayor Cynthia	Mayor Adolfo Gamez, Tolleson
Dunham, Gilbert	Mayor Dallas Gant, Wickenburg
Mayor Bill Arnold, Goodyear	Mayor William Kosanovich, Youngtown
*Mayor Frances Osuna, Guadalupe	F. Rockne Arnett, ADOT
*Mayor Richard Vasiloff, Litchfield Park	Chuck Coughlin, Citizens Transportation
	Oversight Committee

*Those members neither present nor represented by proxy.

Joint Transportation Study Session Items

1. Call to Order

The meeting of the Regional Council was called to order by Chairman Elaine Scruggs at 5:10 p.m. Subsequently, the meeting of the State Transportation Board was called to order by Chairman Jack Husted, the meeting of the Regional Public Transportation Authority (RPTA) Board of Directors was also called to order by Chairman Neil Giuliano, and the meeting of the Citizens Transportation Committee (CTOC) was called to order by Chairman Chuck Coughlin.

Chairman Scruggs announced that if anyone used the Norwest Bank garage, parking validation is available following the meeting from the MAG staff as you leave the meeting room. For those who are using transit to come to the meetings, the RPTA has agreed to provide transit tickets for your trip. She noted the transit tickets are available following the meeting from Ken Driggs from the RPTA.

2. Pledge of Allegiance

3. Introductory Remarks

Chairman Scruggs shared some thoughts on the joint transportation accomplishments and future challenges. In November 1996, MAG, working with the ADOT staff, the Citizens Transportation Oversight Committee and the State Transportation Board, established new freeway priorities that completed the unfunded freeways in the MAG Freeway System. She noted that this action provided for substantial freeway accelerations in all parts of the valley. The accelerations were enhanced by loan agreements approved for Chandler, Mesa and Scottsdale for freeways in their communities.

Chairman Scruggs stated that in November 1996, when revised freeway priorities were forwarded to ADOT, we recognized that transportation funding issues transcended the MAG freeway system. She noted that at that time, MAG offered their support to ADOT to secure additional transportation funding to address statewide transportation needs.

Chairman Scruggs stated that in a partnering session today with the MAG Regional Council Executive Committee and the members of the State Transportation Board, a foundation was set for how our Regional Council and the State Transportation Board can work together to meet the statewide transportation needs as well as regional funding challenges ahead. She stated her confidence in working with ADOT and the other groups in this state to find a solution to funding challenges.

Chairman Scruggs introduced Jack Husted, Chairman of the State Transportation Board. Chairman Husted stated that he was very pleased with the partnering session with the MAG Regional Council Executive Committee. He noted that this meeting is a welcomed interaction.

Chairman Scruggs introduced Neil Giuliano, Chairman of the RPTA Board of Directors. Chairman Giuliano expressed his appreciation for the opportunity to take part in the session. He noted that 1997 was a very busy year for transportation.

Chairman Scruggs introduced Chuck Coughlin, Chairman of the Citizens Transportation Oversight Committee. Chairman Coughlin expressed his appreciation for the involvement of these transportation groups.

Chairman Scruggs noted that this would be the last joint meeting she would chair. She expressed her sincere appreciation for all the hard work of so many. She indicated that it has been a long road, but working with other boards has been terrific.

The members of the MAG Regional Council provided self introductions.

4. MAG Fiscal Analysis Unit Annual Report

Eric Anderson stated that each year MAG produces a report that reviews the Regional Freeway Program. He noted that the Annual Report is required by a state law passed in 1992. Its purpose is to address the status of the regional freeway system. Mr. Anderson stated that since the first issuance of the Annual Report in April 1992, the Regional Freeway System, as reported in the Arizona Department of

Transportation Life Cycle Program, has been in balance with available revenues and construction schedules have been met.

Mr. Anderson noted some of the significant events during 1997 such as, the performance audit, toll road proposals, loan policy and guidelines, local participation for accelerations and program changes. He stated that there has been a fiscal balance since 1992 with no project delays and limited accelerations this year. Mr. Anderson stated that right-of-way costs are up from last year and that we need to develop a strategy to ensure that the \$5.0 million of advanced acquisition money is spent in the best way possible.

Mr. Anderson stated that substantial progress was made during 1997 in refining system costs and improving right-of-way estimates. He noted major findings based on review and examination of the Regional Freeway Program. ADOT has increased the allocations for the advance acquisition of right-of-way from \$2.0 million a year to \$5.0 million annually. Mr. Anderson stated that regarding the right-of-way acquisition process, a window of three to five years before construction would provide ADOT more opportunity and would result in a smoother and less expensive acquisition process.

Mr. Anderson reviewed the cash flow model improvements. He noted that the cash flow model could be substantially improved to make it more useful as a planning tool rather than an accounting model.

Mr. Anderson noted that the discount/inflation factor method was recommended and should be implemented in the ADOT cash flow model as soon as practicable unless the independent, outside review finds strongly in favor of the ADOT method.

Mr. Anderson stated that it is recommended that the horizon for the Life Cycle Program be changed to 2014. Although ADOT has expressed concern about extending the program due to the greater uncertainty, a Life Cycle Program extended to 2014 would cover 16 years which is about the same period that the Life Cycle Program covered in 1992. This change would also present a seamless program to the public rather than the partial picture represented by the limited definition of the Life Cycle Program today.

Mr. Anderson thanked members for their time and attention.

5. Summary of Public Comments

Chairman Scruggs stated that on February 24, 1998, a public hearing was held on transportation issues. She thanked the following for their participation in the hearing: Mayor Bill Arnold from Goodyear who represented the MAG Regional Council at the hearing and chaired the event. Mayor Tom Morales from Avondale represented the RPTA Board, Board member Roc Arnett represented the State Transportation Board, and Leo Mahoney represented the Citizens Transportation Oversight Committee. Chairman Scruggs introduced John Farry from the MAG staff to provide a summary of the comments from the public hearing.

Mr. Farry stated that the public involvement process for the annual update of transportation plans and programs was adopted by MAG to be in accordance with ISTEA. The process includes an Early Phase Opportunity in October, a Mid Phase Opportunity in February, and a Final Phase Opportunity targeted for July. He indicated additionally, continuous involvement opportunities exist throughout the year.

Mr. Farry stated that the Mid Phase Process currently underway is sponsored by MAG, ADOT and RPTA with the participation of CTOC. This year's process includes several events such as the Transit Fair at Central Station, an Open House and Public Hearing with representatives from MAG Regional Council, State Transportation Board, RPTA and CTOC hearing public comment at the MAG office, and two open houses in the Northwest Valley (Glendale City Hall) and East Valley (Mesa Rendezvous Center).

Mr. Farry stated that information provided at the Transit Fair and Open Houses related to the MAG Fiscal Analysis Unit Annual Report as well as any changes to the LRTP and TIP. Information displayed included: general information on MAG, transportation planning process, special needs study, transportation programming, and air quality.

Mr. Farry noted that approximately 35 recorded comments were received at the Transit Fair. The comments revolved around several main issues such as more bus service, improved express service, buses do not meet schedules, light rail comments both in favor and against, better advertising for public meetings and disappointment with failed transit election. He noted that at the Public Hearing there was an opportunity for citizens to make comments directly to the representatives of the governing bodies attending this session. Comments at the Public Hearing were recorded by a court reporter. Mr. Farry stated that seven participants provided comments for the record. The main issues addressed by these individuals related to: pollution and sprawl resulting from transportation decisions, transit improvements for the disabled, light rail, automobile dependence for travel, better advertising for public meetings, baseball park traffic, light truck and SUV emissions, state contribution to transit and general improvements to the transit system.

Mr. Farry indicated that MAG Mid Phase meetings will be documented in the Input Opportunity Report which will be forwarded to the Regional Council upon completion of the process.

Mr. Farry thanked the members for their time.

6. Discussion of Transportation Issues

Chairman Scruggs stated that this year, an opportunity is provided for the representatives from the transportation boards to share their thoughts on the transportation challenges that face this region and the state. She encouraged comments and observations.

Chairman Giuliano commented that we need to make sure that the approach is a true multi model, statewide coordination.

Chairman Husted stated that it is important to have the dialogue between these transportation boards and equally important to working together.

7. Adjournment of ADOT, RPTA, and CTOC

The State Transportation Board, the RPTA Board and the Citizens Transportation Oversight Committee adjourned at 5:55 p.m.

REGIONAL COUNCIL ITEMS ONLY

1. Call to Order

The Regional Council was called to order by Chairman Elaine Scruggs at 6:00 p.m.

2. Chairman Scruggs noted that the Pledge of Allegiance was already done, therefore, we will move forward to the approval of the minutes.

3. Approval of January 28, 1998 Meeting Minutes

Mayor Neil Giuliano moved, Mayor Richard Vasiloff seconded, and it was unanimously carried to approve the January 28, 1998 meeting minutes.

4. Call to the Audience

Chairman Scruggs recognized public comment on non agenda items.

Dianne Barker thanked the Regional Council for equally supporting all forms of transportation such as biking, walking, driving and buses. She stated she hopes to see this support on the Management agenda also. She noted that the bike rack may be too small because it was full tonight.

Ms. Barker commented that it would be nice if all communities held open houses for the Mid Phase in the future. She noted how important it is for public information to be placed on buses where the public is. Because of a lawsuit, public meeting notices are no longer being posted on the bus.

Blue Crowley stated that all public meetings and open houses should be widely advertised. He noted that there was no follow up notification regarding the Mid Phase. Mr. Crowley supported timely and full public access to these meetings.

5. Showcased Agency Introduction

Chairman Scruggs introduced Mayor Giuliano who shared with the Regional Council information about the City of Tempe. Mayor Giuliano thanked the Regional Council for the opportunity to showcase his community. He updated members on the Rio Salado Project. The Rio Salado Project will convert 5.5 miles of dry river bed into a meandering urban park with lake front commercial and recreational opportunities. Mayor Giuliano stated that construction of the town lake began in August 1997 and should be completed in Spring of 1999. He noted that 100 percent of Rio Salado will be publicly accessible.

6. Executive Director's Report

James M. Bourey stated he was in Washington, D.C. for the Association of Metropolitan Planning Organizations (AMPO), the National Association of Regional Councils (NARC), and the Regional Summit Conferences. The discussion at the AMPO conference included the reauthorization of ISTEA. Mr. Bourey noted that neither the Senate nor the House may make a decision until after a revised balanced budget agreement in order to make more funding available.

One of the significant issues discussed at the NARC conference was organizational groups in the membership. The Regional Summit was a major gathering of 500 regional leaders from the public, not for profit and private sectors. It was intended as the beginning of a dialog to set a national regional agenda.

Mr. Bourey updated the Regional Council on the Region 2025 Vision. He noted that a summit is being planned for early June to focus on where we will be in 2025. Mr. Bourey stated that public input is a major factor in this summit.

Mr. Bourey updated the Regional Council on HB 2564. This bill removes the decision making authority for the freeway program from MAG and supports the establishment of a separate authority. He indicated that he will keep members updated.

Mr. Bourey introduced a new MAG employee who works in the air quality modeling area. Pingkuan Di is from California and has a Master's Degree in Civil Environmental Engineering.

Chairman Scruggs thanked Mr. Bourey for his report.

7. Approval of Consent Agenda

The consent agenda item was for information, discussion and consultation.

8. Consultation on Regional Emissions Analysis for the Price Freeway/U.S. 60 Auxiliary Lane

On January 28, 1998, the Regional Council approved \$1,365,000 for the design and construction of an auxiliary lane at the end of the southbound to eastbound ramp of the traffic interchange of the Price and Superstition Freeways contingent upon the required air quality conformity actions being completed. The required regional emissions analysis has been completed and indicates that conformity requirements are met. As the agency responsible for approving and implementing the project, the Arizona Department of Transportation is required to make a conformity finding. In accordance with adopted MAG procedures, documentation regarding the regional emissions analysis is being provided for consultation. The deadline for submitting comments to MAG was February 20, 1998.

9. Air Quality Update

Mr. Bourey introduced Cathy Arthur who reported on three separate items involving air quality: the Governor's Air Quality Strategies Task Force Recommendations, Serious Area PM-10 Plan Most Stringent Control Measures, and Carbon Monoxide Modeling Update.

A. Governor's Air Quality Strategies Task Force Recommendations

Cathy Arthur stated that in November 1997, Governor Jane Dee Hull established the Governor's Air Quality Strategies Task Force. There have been more than 35 meetings held by this task force and MAG staff has attended each meeting. Ms. Arthur noted that a task force report was due to the Governor on February 17, 1998.

Ms. Arthur stated that several measures will require legislative action. Others can be considered at the local level. Some of the measures impacting local government that require legislative action are clean burning fireplace construction, banning leaf blowers and replacing them with vacuums, a plan to stabilize targeted unpaved roads, CA Low Emission Vehicle Program, cleaner burning gasoline in the wintertime and CARB diesel.

Ms. Arthur reviewed some of the measures impacting local government that do not require legislative action, such as strengthening and better enforcement of Rule 310, a plan to stabilize unpaved shoulders on targeted arterials, crack seal equipment, PM-10 Efficient Street Sweeping Program, and requiring oxidizing catalysts on chain-driven charbroilers.

Ms. Arthur stated the Environmental Protection Agency (EPA) announced to the Governor's Air Quality Strategies Task Force that hiring additional inspectors needed for enforcement of Rule 310 may have a positive impact on the Federal Implementation Plan (FIP) if the County makes a commitment before March 20, 1998. She noted that the FIP is currently being drafted by EPA to address deficiencies in the Moderate Area 24-Hour PM-10 Plan for the Maricopa County Nonattainment Area.

Ms. Arthur stated that the Management Committee voted to support the recommendations of the Governor's Task Force, excluding the formation of a Governor's Task Force on Future Growth. Since the Management Committee meeting, this proposed measure has been modified to reference the Vision 2025 effort and take into account regional planning efforts underway. She noted that based on this change, staff recommends including this measure in the endorsement. On February 11, 1998, the MAG Air Quality Technical Advisory Committee recommended that the Governor and Legislature consider supporting the recommendations of the Governor's Task Force with comments on the measures for low emitting vehicles, fireplaces and CARB diesel fuel.

Chuck Coughlin stated that there is quite a bit of debate regarding CARB diesel fuel. He noted that CARB fuel is very expensive. He indicated that he would be very cautious of mandating one type of gas and not being able to control that price.

Mayor Neil Giuliano moved, Councilmember Sara Moya seconded, and it was carried to recommend that the Governor and Legislature consider supporting the recommendations of the Governor's Air Quality Strategies Task Force and urge Maricopa County to establish funding to hire the inspectors needed for enforcement of Maricopa County Rule 310 by March 20, 1998, with Chuck Coughlin opposed.

B. Serious Area PM-10 Plan Most Stringent Control Measures

Ms. Arthur stated that for the Serious Area PM-10 Plan, it is required that the plan include the most stringent measures in State plans, or in practice in any other state. The measures also need to be feasible for this area. She noted that to assist in determining what measures should be included in the PM-10 Plan, MAG hired a consultant, Sierra Research, to prepare material on this issue. Ms. Arthur reviewed the Most Stringent PM-10 Control Measures which include oxidizing catalysts on chain-driven charbroilers, declaring a PM-10 alert at 75 and 105 ug/m³, limiting moisture content of firewood to 20%, prohibiting solid fuel burning devices in new structures, Phase III EPA standards on new wood stoves and inserts, retrofitting existing fireplaces and wood stoves, banning wood heating devices during no-burn periods, dust control plans for nonresidential construction, cease tilling/mulching if wind speed is greater than 25 mph, implementing best available control measures (BACM) if wind speed is greater than 25 mph, PM-10

Efficient Street Sweepers after January 1, 1999, soil erosion plans by January 1, 1999 for agriculture operations greater than 10 acres, stabilizing new storage piles greater than 2,500 square feet, limiting new and modified industrial sources to 0% opacity, and using CARB diesel fuel. Ms. Arthur noted that a feasibility analysis needs to be conducted and the task force is awaiting a definition of “feasibility” from EPA. She stated that this item is for information, discussion and possible action.

C. Carbon Monoxide Modeling Update

Ms. Arthur stated that the Arizona Department of Environmental Quality (ADEQ) has hired a consultant to evaluate the EPA model which is used for developing Carbon Monoxide (CO) Plan credits for I/M 240. Preliminary modeling with the new ADEQ I/M 240 cutpoints indicates a shortfall of approximately 4 percent in the year 2000. It appears that additional measures will be needed for the Serious Area CO Plan. Ms. Arthur stated that this item is for information, discussion and possible action.

Mayor Kosanovich asked if five inspectors would handle all of Maricopa County. Ms. Arthur noted that the intent is to have uniformity of application of the rule. She indicated that cities may be willing to assign a person to Maricopa County to assist, but it is not required.

Chairman Scruggs thanked everyone for their excellent, hard work on these air quality issues.

Chairman Scruggs recognized public comment on agenda items 9A, 9B and 9C.

Blue Crowley stated that there is a lack of effort to address the transportation issue which affects the air quality in this region. He noted that ISTEA is not enough, and single occupancy vehicles (SOV) need to be discouraged. Mr. Crowley stated that SOVs have increased and forms of alternative transportation need to be addressed. He stated that addressing transit, increased bus service and bike lanes can help clean up our air. Mr. Crowley suggested that we use solar power to our advantage. He also suggested that if people use vacuums instead of blowers, it will help improve the environment.

10. Annual Performance Evaluation and Salary Adjustment for the MAG Executive Director

Chairman Scruggs called for an Executive Session at 6:40 p.m.

The meeting reconvened at 7:25 p.m. Chuck Coughlin noted that Mr. Bourey has done an outstanding job over the past year. He noted that there have been a lot of hurdles. Mr. Coughlin stated that he appreciates Mr. Bourey’s hard work.

Chuck Coughlin moved, Councilmember Sara Moya seconded, and it was carried to increase the Executive Director’s base salary 3 percent and pay a one-time incentive bonus of \$5,000 for his performance over the past year. This 3 percent increase will be retroactive to his one year anniversary date. Mayor Shafer opposed.

Mayor Shafer stated that she would prefer a larger percentage increase and not a bonus.

Chuck Coughlin requested a moment to defend his position on HB 2564. He stated that Mr. Overton asked his consideration in support of this legislation. Mr. Coughlin indicated that he thought a lot about it and believes there are structural deficiencies in transportation. He believes that MAG cannot overcome

these deficiencies. Mr. Coughlin stated that the City of Phoenix has considerable influence. He noted that the City of Phoenix cannot overcome its parochial views.

Mayor Augherton expressed his dissatisfaction with Mr. Coughlin's attack on Mayor Rimsza and left the meeting.

Chairman Scruggs apologized for Mr. Coughlin's remarks. Mr. Coughlin requested to speak because he was not present during the earlier discussion. She again apologized if anyone was offended. Chairman Scruggs requested a motion to adjourn.

The meeting was adjourned at 7:35 p.m.

Chairman

Secretary